

(SHRI RAM NAIK): Government of India had approved the 9 million metric tonnes per annum (MMTPA) capacity grass-root refinery in the State of Punjab at a cost of Rs. 9806 crore which will be implemented by Hindustan Petroleum Corporation Limited (HPCL) as a joint venture. In their letter dated April 18, 2000 Government of India had approved an amount of Rs. 300 crore for taking up certain construction activities of the project. All environmental clearances for the Punjab Refinery Project as well as linked project have been received. All major statutory approvals have also been obtained. 200 acres of land has been acquired for the project and secured by construction of a boundary wall. A detailed pipeline route survey of the proposed crude oil pipeline from Gujarat to Bhatinda has been completed. The construction activities based on the sanction of Rs. 300 crore have been taken up by HPCL.

**Reservation for SCs/STs in promotion**

\*209. SHRI R. N. ARYA:

SHRI GANDHI AZAD:

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether it is a fact that reservation in promotion for the SCs/STs is restricted to the lowest rung of class-I service only;

(b) if so, the reasons therefor and the circumstances under which the restriction was imposed;

(c) the reasons for not extending reservation policy to the higher rungs of services and appointments as provided under article 16(4A) incorporated in the Constitution through the 77th Amendment Act, making provisions for reservation in matters of promotions to any class of service; and

(d) the steps being taken by Government for safe-guarding the interest of these categories?

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI



MANEKA GANDHI): (a) and (b) Keeping in view the provisions of Article 335 of the Constitution, Government took a conscious decision to restrict reservation in promotion by selection to the lowest rung of Group 'A' posts. However, reservation in promotion by non-selection is applicable in all Groups of posts.

(c) and (d) A nine-judge Bench of the Supreme Court in its judgement dated November 16, 1992 in the Indira Sawhney case held, *inter alia*, that reservation in promotion was not sustainable in terms of Article 16(4) of the Constitution. However, the Supreme Court allowed the then existing policy of reservation in promotion to continue for 5 years i.e. upto 15.11.1997. In order to safeguard the interest of Scheduled Castes and Scheduled Tribes, Article 16 (4A) was incorporated in the Constitution. The object of the Constitutional amendment, as indicated in the Statement of Objects and Reasons of the Constitution (Eighty-Sixth Amendment) Bill, 1995 was to continue the then existing policy of reservation in promotion for the Scheduled Castes and Scheduled Tribes. The Policy of reservation as was then prevalent did not provide for reservation in promotion by selection beyond the lowest rung of Group 'A' posts. The Government issued order on 13.8.1997 with a view to continue reservation in promotion beyond 15.11.1997, which would have otherwise come to an end as per the Supreme Court Judgement in the Indra Sawhney case.

**Setting up of Inter-Ministerial Group to assess the impact of removal of quantitative restrictions**

\*210. SHRI RAMDAS AGARWAL: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government have decided to set up an Inter-Ministerial Group (IMG) to assess the likely impact of removal in Quantitative Restrictions on the remaining 715 items by March, 31, 2001 as reported in the Indian Express dated 20th July, 2000 (New Delhi Edition);